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Attorneys for Plaintiff
salesforce.com, inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SALESFORCE.COM, INC., a Delaware
Corporation,

Plaintiff,

v.

THE COMPUTER MERCHANT, LTD, a
Massachusetts Corporation,

Defendant.

Case No.: C 07 3556 WHA

STIPULATION AND ~~PROPOSED~~ ORDER OF
DISMISSAL WITH PREJUDICE PURSUANT
TO RULE 41(a)

AND RELATED COUNTERCLAIMS

Pursuant to Federal Rule of Civil Procedure 41(a) and the settlement agreement entered into by the parties in this action effective February 11, 2008 the parties, by and through their respective undersigned attorneys, stipulate as follows:

1. The Complaint filed by salesforce.com, inc. ("SFDC"), and each and every claim set forth therein, shall be dismissed with prejudice.

2. The Counterclaim filed by The Computer Merchant, Ltd. ("TCML") and each and every claim set forth therein, shall be dismissed with prejudice.

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3. The Counterclaim filed by Astadia Consulting, LLC (“ASTADIA”), and each and every claim set forth therein, shall be dismissed with prejudice.

4. SFDC, TCML and ASTADIA each waive all rights to recover costs and attorneys’ fees from each and all of the other parties.

SO STIPULATED.

DATED: March 13, 2008.

McGRANE GREENFIELD LLP

By: See Attachment 1
CHRISTOPHER D. SULLIVAN
Attorneys for Counter-Defendant and
Counterclaimant
ASTADIA CONSULTING, LLC

DATED: March 12, 2008.

GALLO & ASSOCIATES

By: See Attachment 2
RAY E. GALLO
Attorneys for Defendant
and Counterclaimant
THE COMPUTER MERCHANT, LTD.

DATED: March 14, 2008.

SULLWOLD & HUGHES

By: /S/
JAMES A. HUGHES
Attorneys for
PLAINTIFF SALESFORCE.COM, INC.

ORDER

The parties to this action having so stipulated;

IT IS ORDERED:

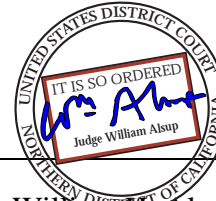
(1) the Complaint filed by salesforce.com, inc. is hereby DISMISSED WITH
PREJUDICE;

(2) the Counterclaim filed by The Computer Merchant, Ltd. is hereby DISMISSED
WITH PREJUDICE;

(3) the Counterclaim filed by Astadia Consulting, LLC is hereby DISMISSED WITH
PREJUDICE; and

(4) All parties to this action shall bear their own costs and attorneys' fees.

DATED: March 14, 2008.



Hon. William H. Alsup
UNITED STATES DISTRICT JUDGE

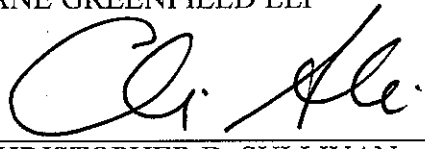
3. The Counterclaim filed by Astadia Consulting, LLC ("ASTADIA"), and each and every claim set forth therein, shall be dismissed with prejudice.

4. SFDC, TCML and ASTADIA each waive all rights to recover costs and attorneys' fees from each and all of the other parties.

SO STIPULATED.

DATED: March 13, 2008.

McGRANE GREENFIELD LLP

By: 
CHRISTOPHER D. SULLIVAN
Attorneys for Counter-Defendant and
Counterclaimant
ASTADIA CONSULTING, LLC

DATED: March ____, 2008.

GALLO & ASSOCIATES

By: _____
RAY E. GALLO
Attorneys for Defendant
and Counterclaimant
THE COMPUTER MERCHANT, LTD.

DATED: March ____, 2008.

SULLWOLD & HUGHES

By: _____
JAMES A. HUGHES
Attorneys for
PLAINTIFF SALESFORCE.COM, INC.

3. The Counterclaim filed by Astadia Consulting, LLC ("ASTADIA"), and each and every claim set forth therein, shall be dismissed with prejudice.

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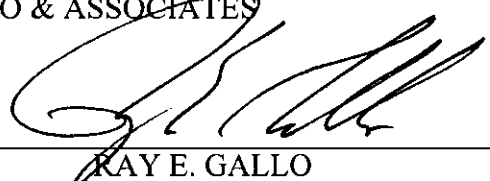
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CHRISTOPHER D. SULLIVAN
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THE COMPUTER MERCHANT, LTD.

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By: _____
JAMES A. HUGHES
Attorneys for
PLAINTIFF SALESFORCE.COM, INC.